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10/567,836	02/08/2006	Johannes Hendrik Wessels	NL 030996	2881

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EXAMINER	
NG, FAN	

ART UNIT	PAPER NUMBER
4145	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/567,836	WESSELS ET AL.	
	Examiner	Art Unit	
	FAN NG	4145	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *26 November 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-19* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-19* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 11/17/2008 have been fully considered.

2.

3. Applicant's arguments with respect to claims 1-9 have been considered but are moot in view of the new ground(s) of rejection.

Response to amendment

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claim(s) 1-9, 12-18 is/are rejected under 35 U.S.C. 103(a) as being unpatentable over Drori (5146215) in view of Reese (5583796).

As per claim 1, **Drori teaches** a communication network, comprising a plurality of devices, each device comprising;

a device operating circuit **(Fig. 1B)**,

a communication interface for receiving command signals **(Fig. 1B, #12)** for controlling an operation of the device operating circuit **(Fig. 1B, #15)**,

a control circuit coupled **(Fig. 1B, #14)** between the device operating circuit **(Fig. 1B, #15)** and the communication interface **(Fig. 1B, #12)** for controlling the operation of the device operating circuit in response to said command signals **(received signal can be from #12, #11, #13)**, and master integral to the device for receiving control signals **(col. 3, line 26-27)**; and a control unit for generating the control signals **(Fig. 1B, signal generated between #14 and #15)**.

wherein the communication network activates one of the masters as an active master for generating the command signals in response to the received control signals **(Fig. 1B, #14 (master, note in prior, master is inside the control unit), generate signal to #15, base on the signal received from #11, 12, 13)**, and for transferring the command signals to the communication interfaces of the plurality of devices **(Fig. 1B, between #14, and #15)**, …in response to the received control signals, and for transferring, the command signals to the communication interfaces of the plurality of devices **(Fig. 1B)**.

Drori doesn't teach ... and in case the active master fails, the communication network activates a second one of the masters as the active master for generating the command signals …

Reese teaches ... and in case the active master fails, the communication network activates a second one of the masters as the active master for generating the command signals **(col. 2, line 30-35)** …

Thus it would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teachings of Reese into Drori, since Drori suggests remote control a control unit, and control unit generate command to device and Reese suggests the beneficial use of 2 controller in case one failed, such as use two controller is better than one, if one failed, they are in the analogues art of communication protocol.

As per claim 2, **Drori and Reese teach** the communication network of claim 1, **Drori teaches** wherein the control unit is a wireless remote control unit **(Fig. 1B, between #10, #12)**.

As per claim 3, **Drori and Reese teach** the communication network of claim 1, **Drori teaches …** between the control unit and the master and between the master and the communication interfaces of the devices **(Fig. 1B, #14, is the control unit and**

master, so far there is no difference been disclosed between them, and they have communication with controlled devices).

Drori doesn't teach wherein each master is equipped with a transceiver for wireless communication …

Reese teaches wherein each master is equipped with a transceiver for wireless communication **(col. 11, line 25, line 34, transceiver is disclose and)** …

Thus it would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teachings of Reese into Drori, since Drori suggests remote control a control unit, and control unit generate commands to device and it is obvious to extent the wireless communication between control unit and device. and Reese suggests the beneficial use transceiver, such as transceiver can receive and transmit data, they are in the analogues art of communication protocol.

As per claim 4, **Drori and Reese teach** the communication network of claim 1, **Drori teaches** wherein in at least one of the devices, the device operating circuit comprises a ballast circuit for operating a lamp **(Fig. 1B: #15, LED, dome light)**.

As per claim 5, **Drori and Reese teach** the communication network of claim 4, **Drori teaches** wherein the at least one device includes a luminaire **(Fig. 1B: #15, LED)**.

As per claim 6, **Drori and Reese teach** the communication network of claim 1,

Drori doesn't teach wherein each master includes beacon means for transmitting periodical signals when it is the active master and detecting means for detecting the periodical signals transmitted by, the active master.

Reese teaches wherein each master includes beacon means for transmitting periodical signals when it is the active master **(col. 10, line 8-9)** and detecting means for detecting the periodical signals transmitted by, the active master **(col. 10, line 11-12)**.

Thus it would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teachings of Reese into Drori, since Drori suggests remote control a control unit, and control unit generate command to device and Reese suggests use periodical to detect failure, such as if the periodical signal disturbed, failure will be detected, they are in the analogues art of communication protocol.

As per claim 7, **Drori and Reese teach** the communication network of claim 6,
Drori doesn't teaches wherein the detecting means comprise a timer circuit for timing a time lapse during which the periodical signal is absent.
Reese teaches wherein the detecting means comprise a timer circuit for timing a time lapse during which the periodical signal is absent **(col. 10, line 11-13)**.

Thus it would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teachings of Reese into Drori, since Drori suggests remote control a control unit, and control unit generate command to device and Reese suggests use periodical to detect failure, such as if the periodical signal disturbed, failure will be detected, they are in the analogues art of communication protocol.

As per claim 8, **Drori and Reese teach** the communication network of claim 7,

Drori doesn't teach wherein each of the masters includes means for activating itself in case the active master fails

Reese teaches wherein each of the masters includes means for activating itself in case the active master fails **(col. 2, line 30-35: backup controller is start from itself, because it is the one to detect the failure of the first one, no one send message to him)**.

Thus it would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teachings of Reese into Drori, since Drori suggests remote control a control unit, and control unit generate command to device and Reese suggests second controller start itself when first failed, such as start on its own save resource to others device, they are in the analogues art of communication protocol.

As per claim 9, **Drori and Reese teach** the communication network of claim 8,

Drori doesn't teach wherein the means for activating itself operates to activate itself when the time lapse during which the periodical signal is absent is longer than a predetermined time lapse

Reese teaches wherein the means for activating itself operates to activate itself when the time lapse during which the periodical signal is absent is longer than a predetermined time lapse **(col. 10, line 6-13: CPU can be consider as part of backup controller, and monitors the periodic status and see whether it is absent, it is inherent that when detect absent there is a pre-determined time, because if the system doesn't set a pre-determined time, then there wouldn't be any absent of signal)**.

Thus it would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teachings of Reese into Drori, since Drori suggests remote control a control unit, and control unit generate command to device and Reese suggests second controller start itself when first failed, such as start on its own save resource to others device, they are in the analogues art of communication protocol.

As per claim 12, a method of operating a communication network having a plurality of devices, the method comprising:

Drori teaches activating a first master included in one of the plurality of devices to become an active master **(Fig. 1B, #14 is a active control unit or master)**;

receiving control signals at the active master from a control unit **(master is inside the control unit, or they are the same, since until now (this claim) there is not different between them)** ; in response to the control signals **(control signal is received from #12, 11, 13)**, transmitting command signals from the active master to the plurality devices to control operations of the devices **(Fig. 1B, from #14 to #15)**;

Drori doesn't teach detecting at a second one of the devices when the active master fails; in response to detecting that the active master has failed, activating a second master included in the second one of the devices to replace the active master and to respond to the control signals by transmitting the command signals to the plurality devices to control operations of the devices.

Reese teaches detecting at a second one of the devices when the active master fails; in response to detecting that the active master has failed, activating a second master included in the second one of the devices to replace the active master and to respond to the control signals by transmitting the command signals to the plurality devices to control operations of the devices **(col. 2, line 30-35)**.

Thus it would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teachings of Reese into Drori, since Drori suggests remote control a control unit, and control unit generate command to device and Reese suggests the beneficial use of 2 controller in case one failed, such as use

two controller is better than one, if one failed, they are in the analogues art of communication protocol.

As per claim 13, **Drori and Reese teach** the method of claim 12, wherein the active master transmits the command signals wirelessly to at least some of the plurality of devices **(Drori, Fig. 1B, between #10 and #12 is wireless, it is inherent, one of obvious skill in the art can implement wireless between #14 and #15)**.

As per claim 14, **Drori and Reese teach** the method of claim 12,
Drori teaches wherein the active master transmits a periodic beacon signal to indicate that it is active and operating.

Reese teaches wherein the active master transmits a periodic beacon signal to indicate that it is active and operating **(col. 10, line 8-9: main control unit is transmitting periodic signal)**.

Thus it would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teachings of Reese into Drori, since Drori suggests remote control a control unit, and control unit generate command to device and Reese suggests use periodical to detect failure, such as if the periodical signal disturbed, failure will be detected, they are in the analogues art of communication protocol.

As per claim 15, **Drori and Reese teach** the method of claim 14,

Drori doesn't teach wherein detecting at a second one of the devices when the active master fails comprises detecting that the beacon signal is absent for a time period greater than a threshold time period .

Reese teaches wherein detecting at a second one of the devices **(col. 10, line11-13: CPU is detecting the periodic signal see if any thing wrong, and col. 2, line 30-35: backup controller will take over if first control unit failed)** when the active master fails comprises detecting that the beacon signal is absent for a time period greater than a threshold time period **(col. 10, line 6-13: CPU can be consider as part of backup controller, and monitors the periodic status and see whether it is absent, it is inherent that when detect absent there is a pre-determined time, because if the system doesn't set a pre-determined time, then there wouldn't be any absent of signal)**.

Thus it would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teachings of Reese into Drori, since Drori suggests remote control a control unit, and control unit generate command to device and Reese suggests second controller start itself when first failed, such as start on its own save resource to others device, they are in the analogues art of communication protocol.

As per claim 16, **Drori and Reese teach** the method of claim 12, **Drori teaches** wherein one of the operations of the devices is an illumination operation **(Fig. 1B: #15, LED, dome light)**.

As per claim 17, **Drori and Reese teach** the method of claim 12, **Drori teaches** wherein receiving control signals at the active master from a control unit comprises receiving control signals from a user- operated remote control device **(Fig. 1B: #10 is come from a user and it is remote control device)**.

As per claim 18, **Drori and Reese teach** the method of claim 12, further comprising: **Drori doesn't teach** detecting at a third one of the devices when the second master fails; in response to detecting that the second master has failed, activating a third master included in the third one of the devices to replace the second master and to respond to the control signals by transmitting the command signals to the plurality devices to control operations of the devices.

Reese teaches detecting at a third one of the devices when the second master fails; in response to detecting that the second master has failed **(col. 2, line 30-37: active second one when first one failed, is shown, which shows the concept, because for one of ordinary skill can implement this backup system forever, fourth, fifth etc.,)**, activating a third master included in the third one of the devices to replace the

second master and to respond to the control signals by transmitting the command signals to the plurality devices to control operations of the devices **(col. 2, line 35-39)**.

Thus it would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teachings of Reese into Drori, since Drori suggests remote control a control unit, and control unit generate command to device and Reese suggests second controller start itself when first failed, such as start on its own save resource to others device, they are in the analogues art of communication protocol.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim(s) 11, 19 is/are rejected under 35 U.S.C. 103(a) as being unpatentable over Drori (5146215), Reese (5583796) as applied to claim(s) 1, 12 above and further in view of Ciciora (5815297).

As per claim 11, **Drori and Reese teach** the communication network of claim 1, **Drori and Reese do not teach** wherein each of the masters includes a table stored in memory that relates the received control signals to the command signals.

Ciciora teaches wherein each of the masters includes a table stored in memory that relates the received control signals to the command signals **(col. 9, line 9-12)**.

Thus it would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teachings of Ciciora into Drori, since Drori suggests remote control a control unit, and control unit generate command to device and Ciciora suggests use a look up table to interoperate the commands, such as use lookup table will have much faster speed then decode the message, they are in the analogues art of communication protocol.

As per claim 19, **Drori and Reese teach** the method of claim 12,

Drori and Reese do not teach further comprising accessing a table stored in memory at the active master to determine the command signals from the received control signals.

Ciciora teaches further comprising accessing a table stored in memory at the active master to determine the command signals from the received control signals **(col. 9, line 9-12)**.

Thus it would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the teachings of Ciciora into Drori, since Drori suggests remote control a control unit, and control unit generate command to device and Ciciora suggests use a look up table to interoperate the commands, such as use lookup table will have much faster speed then decode the message, they are in the analogues art of communication protocol.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth *in 37* CFR 1.136(a). A shortened statutory period for reply to this final action *is* set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

a. Any inquiry concerning this communication or earlier communications from the examiner should be directed to FAN NG whose telephone number is (571)270-3690. The examiner can normally be reached on Monday-Thursday; 8:30am-7:30pm.

b. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Pankaj Kumar can be reached on 5712723011. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

c. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

2. 3.

4. /F. N./

5. Examiner, Art Unit 4145

/Robert W Wilson/
Primary Examiner, Art Unit 2419